

Title 15**HUNTINGTON BEACH OIL CODE****Chapters:**

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Chapter 15.04**GENERAL PROVISIONS**

(2491-7/81, 3037-5/90)

Sections:

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15.04.010 Title. This title shall be known and may be cited as the City of Huntington Beach Oil Code. "Code," as referred to in this title, unless the context clearly indicates otherwise, shall mean the City of Huntington Beach Oil Code, and it is incorporated into the Huntington Beach Fire Code pursuant to Section 17.56.450 of the Huntington Beach Municipal Code.

(2491-7/81, 3037-5/90)

15.04.020 Purpose. It is hereby declared to be the purpose of this title to establish reasonable and uniform limitations, safeguards and controls for present and future operations related to drilling for and production of oil, gas, and other hydrocarbon substances within the City so that this activity may be conducted in harmony with other uses of land, thus protecting the people in the enjoyment and use of their property and providing for their comfort, health, safety and general welfare. (2491-7/81)

15.04.030 Administration. The Fire Chief, or his duly appointed representative, is hereby authorized and directed to enforce the provisions of this code, except that requirements pertaining to fences, walls and gates, and idle wells shall be jointly enforced by the Fire Chief and the Director of Community Development, or their duly appointed representatives. (2491-7/81)

15.04.040 Oil Committee--Authorization and Duties. The City Council may from time to time appoint, on an ad hoc basis, an oil committee which shall include, but is not limited to, the

following: a member of the City Council, a member of the Planning Commission, the City Attorney, Fire Chief, Director of Community Development, or the duly authorized agents of such members, a representative of the Western Oil and Gas Association, and a member of the Independent Oil Producers Association. A representative of the California Division of Oil and Gas may be requested to serve as an ex officio member of the committee. The committee shall act as an advisory body to the City Council with regard to the contents of this code and its revision. The City Councilmember serving on the committee shall serve as the committee chair. (2491-7/81, 3037-5/90)

15.04.045 Subsidence Committee--Authorization and Duties. The City Council may appoint a "subsidence committee" which shall include, but not be limited to, the following: a member of the City Council, a representative of the Huntington Beach Fire Department, a representative of the California Division of Oil and Gas, a City geologic consultant, a representative of the Independent Oil Producers Association, and a representative from the major oil producing companies operating in the City and the subsidence areas. The City Council member may also serve as the Chair of this committee. The committee will endeavor to make recommendations to the Fire Chief for the control of subsidence, and the Fire Chief will require mitigating actions to control subsidence and its negative effects. The City will endeavor to perform or cause to be performed on at least an annual basis a leveling survey of land within the City boundaries and the subsidence areas, and the results of this survey shall be provided to the Subsidence Committee members. This committee will evaluate the results of the surveys and the effectiveness of anti-subsidence measures which are in effect, and will formulate additional recommendations for subsidence control. (3037-5/90)

15.04.050 Right of Entry. Whenever necessary to enforce any of the provisions of this code, or whenever the Fire Chief has reasonable cause to believe that there exists in any building or upon any premises any condition contrary to the provisions of this code, the Fire Chief, or his authorized representative, may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Fire Chief by this code. If such entry is refused, the Fire Chief shall have recourse to every remedy provided by law to secure entry.

No owner or occupant or any other person having charge, care, or control of any building or premises shall fail or neglect, after proper demand, to permit prompt entry therein by the Fire Chief for any purpose pursuant to this code. (2491-7/81)

15.04.060 Operator's Agent. Every operator of any well shall designate himself or an agent, or agents, who is a resident of the State of California, upon whom all orders and notices provided in this code may be served in person, or by registered or certified mail. Every operator so designating such agent shall within ten (10) days notify the Fire Department in writing of any change in such agent or such mailing address unless operations within the City are discontinued. (2491-7/81)

15.04.070 Well Acquisition Notice. Every person who acquires any well, property, or site upon which oil operations exist, whether by purchase, transfer, assignment, conveyance, exchange, or otherwise, shall within ten (10) days after acquiring such well, property, or site, notify the Fire Department in writing of his ownership. The notice shall contain the following:

- (a) The name and address of the person acquiring such well, property or site;
- (b) The name and location of the well;
- (c) The date of acquisition;
- (d) A description of the properties and equipment transferred;
- (e) The name and address of any person designated for service of notice. (2491-7/81)

15.04.080 Transfer of Operator. The operator of every well shall notify the Fire Department in writing of the transfer to another operator of such well for any purpose. Within ten (10) days after such transfer by reason of sale, assignment, transfer, conveyance or exchange, said notice shall be given and shall contain the following:

- (a) The name and address of the person to whom such well was sold, assigned, transferred, conveyed or exchanged;
- (b) The name and location of the well;
- (c) The date of sale, assignment, transfer, conveyance or exchange;
- (d) The date when possession was relinquished by the former operator, and a description of the properties and equipment transferred. (2491-7/81)

15.04.090 Inspections. The Fire Department may inspect annually, and at such other times as deemed by the Department to be necessary, each and every gas and oil well, whether producing, non-producing, or idle, and all injection wells. Such inspections shall be for the purpose of ascertaining compliance with the provisions of this code and for initiating the corrective process for all violations encountered. (3037-5/90)

